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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,915	10/04/2000	Ira A. Kronenberg	KRONA01/00	7233
27988	7590	11/28/2003	EXAMINER	
JOSEPH T. REGARD, LTD PLC PO DRAWER 429 MADISONVILLE, LA 70447-0429			ZEENDER, FLORIAN M	
			ART UNIT	PAPER NUMBER

3627

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/678,915

Applicant(s)

KRONENBERG ET AL.

Examiner

F. Ryan Zeender

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Objections***

✓ Claim 22 is objected to because of the following informalities: In line 2, it appears "DEX/USC" should be -DEX/UCS--. Appropriate correction/clarification is required.

***Claim Rejections - 35 USC § 103***

Claims 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beard et al. '800.

Beard et al. disclose a communication system between a vending machine, service delivery vehicle, and a central management location (see, for example, columns 1 and 2)

Beard et al. lack the teaching of specific steps and details associated with the communication and vending servicing system.

It would have been an obvious design choice to one of ordinary skill in the art at the time of the invention to modify Beard et al. to incorporate specific details and steps, that are well known in the communications and vending arts, into the system of Beard, in order to achieve a desired outcome or result.

*Re claim 22, step (b): Beard et al. teaches collecting data, processing data, and updating data (See, for example, claim 2) which meets applicant's limitation of "filtered"*

*data.*

*Re  
claim  
19  
"abbreviated  
data"*

Claims 12-16 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beard et al. '800 in view of Butler '106.

Beard et al. disclose a communication system between a vending machine, service delivery vehicle, and a central management location (see, for example, columns 1 and 2).

Beard et al. lack the teaching of details associated with a “transmitter”, the transmission of an abbreviated data stream, and specific steps associated with the vending servicing system.

Butler teaches a similar vending machine servicing system utilizing a transmitter (i.e., “radio communication”; see, for example, paragraph [0062]), the DEX file format standard, and the transmission of an abbreviated/filtered data stream (see, for example, paragraph [0060]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beard et al. to incorporate a transmitter for transmitting an abbreviated data stream, as well as to include other steps associated with servicing a vending machine that are well known in the art, in view of Butler, in order to greatly “reduce the required transmission bandwidth and remote processing” (See Butler, paragraph [0024]) and to produce other desired results.

### ***Response to Arguments***

Applicant's arguments filed 10/22/03 have been fully considered but they are not persuasive. The arguments with respect to claims 12-16 and 18-21 are moot in view of

the new grounds of rejection and the rejections with respect to claims 17 and 22 are deemed proper in view of Beard et al.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183. The receptionist's

Application/Control Number: 09/678,915

Page 5

Art Unit: 3627

phone number for the Technology center is (703) 308-1113. The fax number is (703) 872-9327.

 11/26/03

F. Zeender

Patent Examiner, A.U. 3627

November 26, 2003